

IN THE CLAIMS:

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please AMEND claim 1 in accordance with the following:

1. (currently amended) A merchandise order apparatus, comprising:

an order request unit monitoring a remainder quantity of merchandise for a purchaser, and transmitting an order signal requesting an order of the merchandise when the remainder quantity reaches a predetermined quantity;

~~a receiving unit receiving an the order signal including remainder quantity information that shows a remainder quantity of merchandise;~~

~~a prediction period calculation unit calculating a period left until a remainder quantity of the merchandise will be exhausted based on purchase history of a including at least a previous purchase day on which the purchaser and the remainder quantity information, specified by the order signal, purchased the merchandise;~~

an order quantity calculation unit calculating a merchandise consumption amount per day based on the purchase history and the remainder quantity of the merchandise, and calculating an order quantity of the merchandise based on the merchandise consumption amount, the period left until the remainder quantity of the merchandise will be exhausted, and the remainder quantity of the merchandise;

~~a shop information acquisition unit acquiring, from each of a plurality of shops selling the merchandise during at least one specified period, selling prices of the merchandise for a each specified period and recording the selling prices of the merchandise for the specified period by associating the selling prices with shop names and selling dates;~~

~~an order information preparation unit referring to the selling prices recorded and selecting a shop where the merchandise can be purchased most cheaply at a lowest cost and a purchase date within the calculated period left until the remainder quantity of the merchandise will be exhausted, based on the calculated period and the selling price of the merchandise, and preparing order information for ordering the merchandise in the order quantity from the shop based on the selection; and~~

an order unit ordering the merchandise from the selected shop based on the order information.

2. (Original) The merchandise order apparatus according to claim 1 wherein the order information preparation unit selects a purchase day and shop when and where the merchandise can be purchased most cheaply, taking into consideration a delivery charge, within the calculated period, and

the order unit places an order with the selected shop so that the merchandise can be purchased on the selected purchase day.

3. (Original) The merchandise order apparatus according to claim 1 wherein the order information preparation unit selects the purchase day and shop by taking into consideration a fluctuation of the selling price.

4. (Original) The merchandise order apparatus according to claim 1 wherein the prediction period calculation unit calculates the period by taking into consideration a season change and the purchase history.

5. (Withdrawn) The merchandise order apparatus according to claim 1 wherein in a case that the remainder quantity information shows that a remainder quantity of the merchandise is half, the prediction period calculation unit calculates a period M until a remainder quantity of the merchandise is exhausted, using a following equation:

$$M=N \times K$$

where, N is period between a day when the unit receives the order signal and the previous purchase day, and K is a fluctuation of a consumption pace.

6. (Withdrawn) The merchandise order apparatus according to claim 1 wherein the remainder information shows that the merchandise is exhausted, the prediction period calculation unit sets the period as a shortest period.

7. (Withdrawn) The merchandise order apparatus according to claim 1 further comprising a prediction order quantity calculation unit calculating a prediction order quantity based on the calculated period, the purchase history, and remainder quantity information,

wherein the order unit notifies the selected shop of the prediction order quantity when placing an order.

8. (Withdrawn) The merchandise order apparatus according to claim 7 wherein the prediction order quantity calculation unit calculates a prediction order quantity R using a following equation:

$$R=V (N+M)/2N \text{ or}$$

$$R=V (1+K)/2$$

where, N is a period between a day when the unit receives the order signal and the previous purchase day, K is a fluctuation of a consumption pace, M is the calculated period and V is a storage capacity of a merchandise storage container of the purchaser.

9. (Withdrawn) The merchandise order apparatus according to claim 7 wherein the prediction order quantity calculation unit sets a prediction order quantity to a storage capacity of a merchandise storage container of the purchaser, in a case that the remainder quantity information shows that the merchandise is exhausted.

10. (Original) The merchandise order apparatus according to claim 1 wherein the receiving unit receives the order signal when a remainder quantity of the merchandise becomes a predetermined quantity or when the merchandise is exhausted.

11. (Original) The merchandise order apparatus according to claim 1 wherein the merchandise is fluid merchandise.

Claims 12-18 (cancelled).

19. (currently amended) A merchandise order method implemented using a computer, comprising:

receiving an order signal ~~including remainder quantity information that shows requesting~~
an order of merchandise when a remainder quantity of the merchandise reaches a
predetermined quantity;

automatically calculating a period left until ~~a the~~ remainder quantity of the merchandise is
will be exhausted, based on purchase history, including at least a previous purchase day on

which the of a purchaser, specified by the order signal, purchased the merchandise and the remainder quantity information;

calculating a merchandise consumption amount per day based on the purchase history and the remainder quantity of the merchandise;

calculating an order quantity of the merchandise based on the merchandise consumption amount, the period left until the remainder quantity of the merchandise will be exhausted and the remainder quantity of the merchandise;

receiving price signals with selling prices of the merchandise at a plurality of shops for a at least one specified period and recording the selling prices of the merchandise for the each specified period by associating the selling prices with shop names and selling dates;

automatically selecting a shop where the merchandise can be purchased most cheaply, based on a purchase date within the calculated period left until the remainder quantity of the merchandise will be exhausted and a the selling price of the merchandise; automatically preparing order information based on the selection; and

automatically placing an order with the selected shop based on the to order information the merchandise.

20. (Previously Presented) The merchandise order method according to claim 19, further comprising:

selecting a purchase day and a shop when and where the merchandise can be purchased most cheaply, taking into consideration the delivery charge, within the calculated period; and

placing an order with the selected shop so that the merchandise can be purchased on the purchase day.

21. (Previously Presented) The merchandise order method according to claim 19, further comprising:

calculating a prediction order quantity based on the calculated period, the purchase history, and remainder quantity information; and

notifying the selected shop of the prediction order quantity when placing an order.

22. (Previously Presented) The merchandise order method according to claim 19, further comprising calculating the period in consideration of a season change and the purchase history.

23. (Withdrawn) The merchandise order method according to claim 19, further comprising receiving an order signal when a remainder quantity of the merchandise becomes a predetermined quantity or the merchandise is exhausted.

24. (Withdrawn) A merchandise order apparatus with access to data representing shop names, selling dates and selling prices of the merchandise for a first period of time at a plurality of shops, comprising:

a calculation unit calculating a second period of time left until a remaining quantity of merchandise will be exhausted based on purchase history of a purchaser; and

an order preparation unit outputting order information for one of the shops where the merchandise can be purchased most cheaply on a purchase date within the first and second periods, based on the selling prices and selling dates of the merchandise recorded by said storage unit.